## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 9807

 Appl. No.
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 09/752,557

 Applicant
 :
 Earl Frederick Barrick

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 Customer No.
 :
 28598

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

## RESPONSE to Notification of Non-Compliant Appeal Brief

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated 10/16/2009 with a period for reply ending 11/16/2009, please accept the attached substitute "SUMMARY OF CLAIMED SUBJECT MATTER" section for the Appeal Brief filed on 9/28/2009.

Respectfully submitted.

/David G. Grossman/

David G. Grossman Registration No. 42.609

Date: November 13, 2009

George Mason University Office of Technology Transfer, MSN 5G5 4400 University Drive Fairfax, VA 22030 (703) 993-4103 (office)